

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

BRIAN KERN and DYLAN KERN

Plaintiff,

Case No. 21-11703

v.

Hon. George Caram Steeh

A1 CYCLES, INC., and MIKE BELAND,  
individually, and M3-MAD MONKEY  
MOTORSPORTS, LLC, and BRANDON WHITE  
and CYNTHIA WHITE, individually.

Defendants.

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ORDER GRANTING PLAINTIFFS'  
MOTION FOR DEFAULT JUDGMENT AND  
PERMANENT INJUNCTION (ECF NO. 14)

WHEREAS Defendants have failed to plead or otherwise defend as  
provided by Federal Rule of Civil Procedure 12; and

WHEREAS the Court, having considered Plaintiffs' Motion for Default  
Judgment and supporting brief and evidence, GRANTS the motion and  
hereby orders as follows:

a. Defendants are found to have infringed Plaintiffs' United States  
Patent No. D902834S and have violated 35 U.S.C. §§ 271, 283, 284, and  
285, and it is further held that Defendants' conduct was willful.

b. The Court finds that this is an exceptional case and that Plaintiffs are entitled to trebling of damages and attorneys' fees.

c. The Court awards Plaintiffs lost profits damages in the amount of \$50,960.00, which are being trebled to a total of \$152,880.00.

d. Plaintiffs are awarded their reasonable attorneys' fees which are \$33,361.50.

e. Plaintiffs are awarded costs in the amount of \$939.50.

f. Therefore, the court awards damages, reasonable attorneys' fees, and costs in favor of Plaintiffs and against Defendants in the total amount of \$187,181.00.

In addition, pursuant to 35 U.S.C. § 283 and Fed. R. Civ. P. 65, the Court ORDERS that Defendants A1 Cycles, Inc. and M3-Mad Monkey Motorsports, LLC, their parents, subsidiaries, successors, assigns, officers, agents, servants, employees, and persons in active concert or participation therewith who have actual notice of this Order, including Mike Beland, Brandon/Branon White, and Cynthia White (collectively, the "Defendants") are hereby permanently enjoined and prohibited from engaging in future acts of infringement of U.S. Patent No. D902834S ("the 'D834 Patent") by making, using, offering for sale, selling, or importing products in the United

States that look the same or substantially the same as the motorcycle engine clutch rod shown in the drawings of the 'D834 Patent.

This injunction shall expire upon the abandonment, invalidation or expiration of the 'D834 Patent.

SO ORDERED.

Dated: April 18, 2022

s/George Caram Steeh  
George Caram Steeh  
United States District Judge